transparent panel 20, which can be switched between a transparent state and an opaque state with the application of a control voltage. The shape of the electrode to which a voltage is applied can be conformed to the shape of a button for a touch panel, and thus a touch switch display 4 as shown in Fig. 1 can appear. A transparent touched position detecting sheet 22 as a touch panel element is provided at least on a portion on the surface of the transparent panel 20 so that the touched position can be detected.

Turning back to Fig. 2, the image display device 3 is a flat display device such as a plasma display or a liquid crystal display of an active matrix system with thin film transistors. A rendering device 10 drives the display device 3 to create images.

Fig. 4 illustrates a control device 7 which receives a detection output from approach sensors 8 and 9 and detection output from touched position detecting sheet 22 in order to control image display in the transmission type display device and in the image display device 3.

As further described in the specification, an operation that is input by the touch panel can be performed on the surface of the transmission type display device 2, and the display from the image display device 3 can be seen through the transmission type display device 2. Thus it is not necessary to operate an instructional display, such as push button switches, in the display of the image display device 3. This allows an effective display range on the screen to be increased, and it further allows complicated control for the image display to be avoided. Because operation near the image display device 3 is unnecessary, the image display device 3 can be provided at a relatively distant position from the driver. Thus, the displayed image is distant from the driver and the visual range is further distant than one on the surface. This reduces the burden on the driver's eyes when shifting between viewing the road and viewing images on the display.

By having the control portion controlling the transmission type display portion and the rearward display portion in response to finger approach toward or finger touch of the transmission type display portion, activation buttons for the touch panel can be generated and displayed by the transmission type display portion only when necessary, i.e. only when approach of a finger, for example is detected. This allows, normally, only the rearward display to be seen through the transmission type display portion, realizing the above described advantages.

The present invention is reflected in independent claim 36 by reciting the vehicle mounted display apparatus as comprising a transmission type display portion that is operable to transmit light therethrough, the transmission type display portion having a touch panel function, and the transmission type display portion being mounted in a vehicle. The claim further recites the rearward display portion rearwardly of the transmission type display portion so that it can be seen through the transmission type display portion, and the control portion for controlling the transmission type display portion and the rearward type display portion in response to finger approach toward or finger touch of the transmission type display portion. In rejecting this claim, the Examiner cited Taniguchi as having a transmission type display portion, item 2 of Fig. 1.

However, item 2 is in fact the touch panel per se. It is not a display portion. It is not capable of displaying images. Rather, the entirety of the display 1 is a display apparatus.

To put it differently, claim 36 requires two different display portions. Taniguchi is essentially only disclosing one display portion; the portion 3 creates the display and portion 2 is the touch panel only, and is not a display.

The distinction is further emphasized by the last limitation of claim 36. This requires "a control portion for controlling said transmission type display portion and said rearward display portion in response to . . ." However, the touch panel 2 of Taniguchi operates to detect the touch position. It is not controlled in response to any action, as it is not a display. The display portion 3, corresponding to the rearward display portion in the Examiner's rejection, may be controlled, but this is not the same thing. Thus the limitation serves to point out the clear distinctions over Taniguchi in that two different display portions are provided in claim 36, both of which are controlled by the control portion in response to finger approach toward or finger touch of the transmission type display portion. Taniguchi just has a single display for the touch panel.

Thus, if the display portion 3 of Taniguchi is considered to be the rearward display portion of claim 36, there is no member in Taniguchi that corresponds to the transmission type display portion as claimed.

Independent claim 58 emphasizes the distinctions over Taniguchi by reciting that the rearward display portion is positioned and mounted in the vehicle so as to be spaced rearwardly of the transmission type display portion. In Taniguchi, the portion 2 is mounted directly on the display part 3.

Claim 58 further emphasizes the distinctions by reciting that the control portion controls the displayed content of the transmission type display portion and the rearward display portion in response to the finger approach toward or the finger touch of the transmission type display portion. The touch panel 2 of Taniguchi does not have a control that controls the displayed content of both the transmission type display portion and a rearward display portion, but only controls, apparently, the display portion 3.

Claim 69 further emphasizes this distinction by reciting that the transmission type display portion is operable to display in varied states, including an opaque state. The touch panel 2 of Taniguchi simply allows the displays 3 to be seen therethrough.

Further, claim 66 requires a display control portion that is operable to display a switch operation guide in the transmission type display portion. There is no such display control portion in Taniguchi. Despite the Examiner's statements on page 8 of the Office Action, the display control portion of Taniguchi does not display a switch operation guide or a touch detecting portion in the transmission, type display portion.

As an incidental matter, the Examiner states in the Office Action, on page 8 thereof, that Mizuno teaches the transmission type display portion having one end pivotally connected to the vehicle as a supporting point in section 4. However, there is no such discussion present in section 4 of Mizuno. The Examiner is requested to provide the relevant translation of the section that supports this rejection.

Storm was cited for the proposition of curving the surface of the display. Storm was also cited as teaching the transmission type display portion as being larger than the rearward display portion. Both of these positions by the Examiner are respectfully traversed.

Storm is not properly suggestive of a modification of the touch panel display of Taniguchi. Storm relates to a projection of the earth into the form of a globe, and bears no relation to the present invention or the cited references.

In any case, it is clear that the claims that have been presented distinguish over Taniguchi, Mizuno and Storm because none of the references suggest both the transmission type display portion and the rearward display portion as they have been recited in each of independent claims 36, 58 and 66. Indication of such is respectfully requested.

There are a number of additional positions that have been taken by the Examiner in the final Office Action. Even if such positions are not directly addressed above, this should not be taken as acquiescence by Applicants to such positions, and all rights to traverse such are reserved.

In view of the above remarks, it is submitted that the present application is now in condition for allowance, and the Examiner is requested to pass the case to issue. If the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact Applicants' undersigned representative.

Respectfully submitted,

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